

**REMARKS**

The Examiner's final Office Action of May 19, 2004 and the Advisory Action mailed May 25, 2005 have been received and its contents reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application, and for the Examiner's time conducting numerous telephonic interviews with Applicants' representative after the Advisory Action to assist Applicants in advancing this application toward allowance.

This Amendment is being filed during appeal to reduce the issues on appeal by eliminating all rejections on appeal. As a result, entry of this Amendment should be considered proper.

Turning now to the Advisory Action mailed May 25, 2005, claims 61-62, 64, 66-67, 69, 71-72, 74, 76-77, 79, 81-82, 84, 86-87, 89, 91-96, 101-109 and 131 are deemed potentially allowable.

Further, according to the Advisory Action mailed May 25, 2005 (and to the final Office Action mailed May 19, 2004), claim 19 remains rejected under 35 U.S.C. 112, second paragraph; claims 1-4, 6-9, 18-22, 110-111 and 132-135 remain rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over U.S. Patent Nos. 4,786,358 (Yamazaki et al.) in view of Hongo et al. (JP 57-94482) and Nishimura et al.; and claims 1-4, 6-9, 18-22, 110-111 and 132-135 remain rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over U.S. Patent No. 6,149,988 (Shinohara et al.). Applicants herein cancel claims 1-4, 6-9, 18-22, 110-111 and 132-135, as shown above. Hence, the remaining Section 112 rejection and the double patenting rejections are now rendered moot.

As summarized in the Advisory Action mailed May 25, 2005, claims 11-13, 17, 20-60, 63, 65, 68, 70, 73, 75, 78, 80, 83, 85, 88, 90, 97-100, 112-130 and 136-139 are withdrawn from consideration. In the interest of advancing this application toward allowance, Applicants also cancel herein claims 11-13, 17, 20-60, 97-100, 112-130 and 136-139.

Applicants note that claim 88 was previously withdrawn but appears to be inadvertently omitted from the summary of withdrawn claims in the Advisory Action mailed May 25, 2005. Hence, in this Amendment, Applicants treat claim 88 as previously withdrawn.

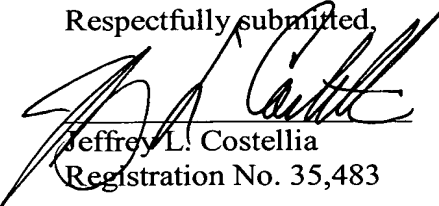
Applicants further note that withdrawn claims 63, 65, 68, 70, 73, 75, 78, 80, 83, 85, 88 and 90 are not cancelled by this Amendment because these claims are subspecies, C(i), of the elected Species C (as noted in the Supplemental Amendment filed April 28, 2005) of allowed independent claims 61, 66, 71, 76, 81 and 86. Hence, Applicants respectfully request that claims 63, 65, 68, 70, 73, 75, 78, 80, 83, 85, 88 are also allowable and that these claims be rejoined with their respective allowed independent claims. These claims should be rejoined with the allowed claims since they have the same priority date as the allowed base claims, namely, December 20, 2003, as provided by Appellants in the response filed November 1, 2002.

Applicants respectfully note that, although claim 101 was inadvertently withdrawn in the Amendment filed April 28, 2005, the Examiner has indicated in the Advisory Action mailed May 25, 2005 that claim 101 is allowable. Applicants appreciatively and respectfully agree with this rejoining of claim 101.

In view of the canceling of all rejected claims, namely claims 1-4, 6-9, 19, 110-111 and 132-135, and of the canceling of withdrawn claims 11-13, 17, 20-60, 97-100, 112-130 and 136-139, the rejections on remaining this applicant with claims 61-62, 64, 66-67, 69, 71-72, 74, 76-77, 79, 81-82, 84, 86-87, 89, 91-96, 101-109 and 131 and withdrawn claims 63, 65, 68, 70, 73, 75, 78, 80, 83, 85 and 88 are in condition for allowance.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,



Jeffrey L. Costellia  
Registration No. 35,483

NIXON PEABODY LLP  
Suite 900  
401 9<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-2128  
(202) 585-8000